



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,466	06/19/2000	Craig L. Reding	Bell-19	3940

7590 06/16/2004

STRAUB & POKOTYLO  
620 TINTON AVENUE  
BLDG B 2ND FLOOR  
TINTON FALLS, NJ 07724

EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
----------	--------------

2642

11

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/596,466

Applicant(s)

REDING ET AL.

Examiner

Hector A. Agdeppa

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

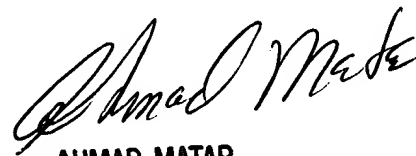
Examiner: Hector Agdeppa  
703-305-1844

Continuation of 5. does NOT place the application in condition for allowance because: As applicant admits on page 8 of the response, in Bateman, a customer's device is used to dial a telephone number corresponding to a customer agent." This does not avoid the need for a message including the agent telephone number because what is claimed is a request message to make a call. Any time a telephone number is dialed, there will be a request message that includes the dialed number. This is and has always been the case in POTS telephony, Internet telephony, etc. Both the dialed and calling number are used in signaling/messaging to route a call.

As to applicant's argument regarding the inclusion of the customer's number, see Col. 6, lines 32 - 35 of Bateman wherein it states, "The telephone number, time stamp, and URL are passed to the outbound preview dialing system 32 in the call centre 24..." Clearly, the telephone number of the customer is passed along. This is because Bateman teaches that a customer may request a callback for a later time and the customer telephone number of course would be needed to make that later callback. See Col. 6, lines 14 - 30 of Bateman as well. Moreover, this is all done with the "live help" request message.

What applicant appears to be arguing is that a customer in Bateman does not necessarily manually input or choose an agent telephone number since all a customer must do is activate a "live help" button on a webpage. However, the present invention is not claimed in such a way and examiner's interpretation of Bateman and the claims are still analogous.

As to applicant's arguments regarding the Smith reference, they are irrelevant because, as noted in the last office action, Smith was used to address this latter interpretation of the claims, and used ONLY to teach that contacting a specific agent is old and well known. If contacting a specific agent is old and well known, it is a feature that would be obvious in Bateman given the flexibility of Bateman and the fact that all call centers have a motivation to increase customer service and productivity and contacting a specific agent is a well known method of accomplishing this. Given that Bateman teaches requesting live help/live help callback over email, if a customer wanted to interact with a specific agent, they would have to include some agent identifier such as a direct number to them and of course, the customer's number at which they desired to be called back.



**AHMAD MATAR**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600